

1 BILL NO. R- 81-02-04

2 RESOLUTION NO. R- 11-81

3 A RESOLUTION opposing the passage of  
4 House Bill No. 1032.

5 WHEREAS, the Common Council of the City of Fort Wayne,  
6 Indiana, has duly considered the content to House Bill No. 1032  
7 and has, through its proper representatives, conferred with  
8 the City Plan Commission of the City of Fort Wayne on the  
9 subject matter of House Bill No. 1032; and,

10 WHEREAS, after due and thorough consideration of  
11 the proposed legislation which would be enacted if House  
12 Bill No. 1032 became law, it is its considered opinion that  
13 said bill, if it became law, would be an unwarranted  
14 stripping of the powers granted to localities to set land  
15 use and building standards; and,

16 WHEREAS, in line with the Home Rule Principles  
17 becoming effective in the State of Indiana, it is important  
18 for the state legislature to respect the powers of  
19 municipalities to determine for themselves zoning and  
20 building standards that are proper, reasonable, and  
21 applicable to the community; and,

22 WHEREAS, it is most reasonable to consider that a  
23 local community through its Plan Commission and Common Council  
24 is better qualified to judge the type of housing and  
25 location thereof under the comprehensive zoning laws of  
26 such city; and,

27 WHEREAS, it is far more desirable, simple, and efficient  
28 to use the definitions placed within the local zoning  
29 ordinances to generally delineate building types which are  
30 acceptable as dwellings located in any zone as opposed to  
31 having authority far removed from the local city government  
32 makes such decisions.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Fort Wayne, Indiana, does hereby oppose the passage of House Bill No. 1032 and be it further resolved that copies of this Resolution be supplied to the members of the Allen County Legislative Delegation in the General Assembly of the State of Indiana.

Vivian G. Schmiat  
COUNCILMAN

Approved as to form and legality

John H. Logan, Attorney for the  
Common Council of the City of  
Fort Wayne, Indiana.

Read the first time in full and on motion by \_\_\_\_\_,  
seconded by \_\_\_\_\_, and duly adopted, read the second time  
by title and referred to the Committee \_\_\_\_\_ (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by V. Schmitt,  
seconded by John Nichols, and duly adopted, placed on its  
passage. PASSED (~~Lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	<u>0</u>	_____	_____	_____
BURNS	<u>X</u>	_____	_____	_____	_____
EISBART	<u>X</u>	_____	_____	_____	_____
GiaQUINTA	<u>X</u>	_____	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
SCHOMBURG	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 2-17-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (~~ZONING MAP~~) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~)  
(~~APPROPRIATION~~) ORDINANCE (RESOLUTION) No. B-11-81  
on the 17th day of January, 19 81.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

John Nichols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 18th day of January, 19 81, at the hour of  
11:00 o'clock PM, E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 19th day of Feb.  
1981, at the hour of 3 o'clock PM, E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

# State of Indiana



Senator Elmer MacDonald  
722 Pelham Drive  
Fort Wayne, IN 46825  
Residence (219) 489-9651  
Business (219) 672-2111

# Senate

Committees:  
Metropolitan Affairs, Chairman  
Finance, Budget Subcommittee  
Roads & Transportation, R.M.  
Interstate Cooperation

March 6, 1981

Charles W. Westerman  
Clerk of the City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Dear Mr. Westerman:

Thank you for your letter regarding House Bill 1032.

I have been in contact with Jack Suter on this and he will testify at the hearing on Tuesday, March 10. Please be assured that I will take your opinion into consideration when the time comes to vote on this bill.

Please let me know if I can be of further help.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Elmer'.

Elmer MacDonald  
State Senator, Dist. 15

EM:eh